

Kelly M. Dermody (SBN 171716)
 Bill Lann Lee (SBN 108452)
 Daniel E. Barenbaum (SBN 209261)
 Lexi J. Hazam (SBN 224457)
 Chimene I. Keitner (SBN 226948)
 LIEFF, CABRASER, HEIMANN &
 BERNSTEIN, LLP
 275 Battery Street, 30th Floor
 San Francisco, CA 94111-3339
 Telephone: (415) 956-1000
 Facsimile: (415) 956-1008

JOHN L. BURRIS (SBN 69888)
 7677 Oakport Bldg., Suite 1120
 Oakland, CA 94612
 Telephone: (510) 839-5210
 Facsimile: (510) 839-3882

KAY MCKENZIE PARKER (SBN 143140)
 225 Bush Street, 16th Floor
 San Francisco, CA 94104
 Telephone: (415) 227-9622
 Facsimile: (415) 675-2530

WAUKEEN Q. MCCOY (SBN 168228)
 703 Market Street, Suite 1407
 San Francisco, CA 94103
 Telephone: (415) 675-7705
 Facsimile: (415) 675-2530

Todd M. Schneider (SBN 158253)
 Guy B. Wallace (SBN 176151)
 SCHNEIDER & WALLACE
 180 Montgomery Street, Suite 2000
 San Francisco, CA 94104
 Telephone: (415) 421-7100
 Facsimile: (415) 421-7105

MICHAEL S. DAVIS (SBN 160045)
 345 Hill Street
 San Francisco, CA 94109
 Telephone: (415) 282-4315
 Facsimile: (415) 358-5576

James M. Finberg (SBN 1148500)
 Eve H. Cervantez (SBN 164709)
 Danielle E. Leonard (SBN 218201)
 Claire Prestel (SBN 235649)
 ALTSHULER BERZON LLP
 177 Post Street, Suite 300
 San Francisco, CA 94108
 Telephone: (415) 421-7151
 Facsimile: (415) 362-8064

Class Counsel

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI BOYKIN,
 VALERIE BROWN, RICK GONZALES,
 CYNTHIA GUERRERO, RACHEL
 HUTCHINS, TYRONE MERRITT, KELVIN
 SMITH, SR., and KEN STEVENSON, on
 behalf of themselves and all others similarly
 situated,

Plaintiffs,

v.

FEDEX EXPRESS, a Delaware Corporation,

Defendant.

Case Nos. C03-02659 SI; C03-02878 SI

CLASS ACTION

STIPULATION AND [PROPOSED]
 ORDER RE: BRIEFING SCHEDULE FOR
 PLAINTIFFS' MOTIONS FILED
 DECEMBER 8, 2006

PLACE: Courtroom 10, 19th Floor
 JUDGE: Hon. Susan Illston

1 The parties, through their counsel, hereby stipulate and agree as follows:

2 WHEREAS plaintiffs filed the following evidentiary motions on December 8, 2006: 1)
3 Motion for an Order Precluding Defendants from Introducing Evidence Regarding the Racial
4 Composition of Upper-Level Management (docket no. 532); and 2) Motion to Preclude Non-
5 Rebuttal Labor Economist Opinion of Mary Baker Raised for the First Time in Her Rebuttal
6 Report, or, in the Alternative, to Permit Plaintiffs to Submit a Rebuttal Report of a Labor
7 Economist (docket no. 533);

8 WHEREAS plaintiffs originally noticed these motions for hearing on January 12, 2007,
9 with opposition briefs due December 22, 2006 and reply briefs due December 29, 2006;

10 WHEREAS the Court continued the hearing dates for these motions to January 23, 2007;

11 WHEREAS defendant FedEx Express filed its opposition briefs to these motions on
12 January 3, 2007;

13 WHEREAS plaintiffs, if required to file their opposition briefs on January 9, 2007, would
14 not have the full one-week period available under the Local Rules for filing reply briefs;

15 THEREFORE, it is hereby stipulated that:

16 Plaintiffs may have until January 10, 2007 to file their reply briefs for these two motions.

17
18
19 DATED: *January 3, 2007*

ALTSHULER BERZON LLP

20
21 *Claire Prestel*
22 Claire Prestel

23 James M. Finberg
24 Eve H. Cervantez
25 Danielle E. Leonard
26 Claire Prestel
27 177 Post Street, Suite 300
28 San Francisco, CA 94108

Kelly M. Dermody
Bill Lann Lee
Daniel E. Barenbaum
Chimène I. Keitner
LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP
275 Battery Street, 30th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Facsimile: (415) 956-1008

Todd M. Schneider
Guy B. Wallace
SCHNEIDER & WALLACE
180 Montgomery Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 421-7100
Facsimile: (415) 421-7105

JOHN L. BURRIS
7677 Oakport Bldg., Suite 1120
Oakland, CA 94612
Telephone: (510) 839-5210
Facsimile: (415) 421-7105

MICHAEL S. DAVIS
345 Hill Street
San Francisco, CA 94109
Telephone: (415) 282-4315
Facsimile: (415) 358-5576

KAY MCKENZIE PARKER
225 Bush Street, 16th Floor
San Francisco, CA 94104
Telephone: (415) 227-9622
Facsimile: (415) 227-4522

WAUKEEN Q. MCCOY
703 Market Street, Suite 1407
San Francisco, CA 94103
Telephone: (415) 675-7705
Facsimile: (415) 675-2530

Class Counsel

1 DATED: January 3, 2007

SEYFARTH & SHAW LLP

3 /s/

4 Gilmore F. Diekmann Jr.

5 560 Mission Street, Suite 3100
6 San Francisco, CA 94105
7 Telephone: (415) 397-2823
8 Facsimile: (415) 397-8549

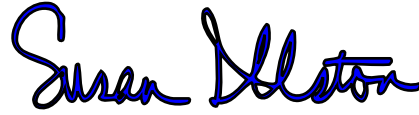
9 FEDERAL EXPRESS CORP.
10 3620 Hacks Cross Road, Bldg. B, 3d Fl.
11 Memphis, TN 38125-8800
12 Telephone: (901) 434-8519
13 Facsimile: (901) 434-9271

14 Evelyn Becker
15 O'MELVENY & MYERS LLP
16 1625 Eye Street, N.W.
17 Washington, D.C. 20006-4001
18 Telephone: (202) 383-5300
19 Facsimile: (202) 383-5414

20 *Counsel for Defendant*

ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.



DATED: _____

Hon. Susan Illston
United States District Judge